

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DARNEL MERIWETHER, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 4:13-CV-2152-JAR
)	
CITY OF VELDA CITY POLICE)	
DEPARTMENT, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter is before the Court upon the submission of plaintiffs' complaint. On October 23, 2013, plaintiffs submitted a joint complaint, but did not pay the \$400 filing fee. Rather, it appears as though plaintiffs wish to proceed in this action as paupers. A review of the case file, however, indicates that while plaintiff Darnel Meriwether submitted a motion for leave to proceed in forma pauperis and affidavit in support, he failed to submit a CJA-Form 23 financial affidavit.

Furthermore, plaintiff Michael Thomas submitted neither a motion for leave to proceed in forma pauperis and affidavit in support nor a CJA-Form 23 financial affidavit. As such, the Court is unable to determine whether the plaintiffs are financially able to pay the entire filing fee at this time. See 28 U.S.C. § 1915(a)(2); Local Rule 2.05(A).

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court shall not issue process or cause process to be issued upon the complaint at this time, but shall provide each plaintiff with a CJA-Form 23 financial affidavit.

IT IS FURTHER ORDERED that the Clerk of Court shall provide plaintiff Michael Thomas with a form motion for leave to proceed in forma pauperis and affidavit in support.

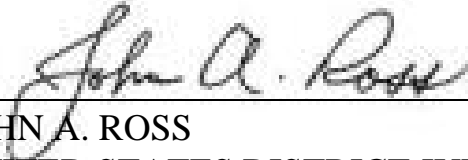
IT IS FURTHER ORDERED that within twenty (20) days from the date of this order, plaintiffs Darnel Meriwether and Michael Thomas shall each complete and submit a CJA-Form 23 financial affidavit.

IT IS FURTHER ORDERED that, within twenty (20) days from the date of this order, plaintiff Michael Thomas shall complete and submit a motion to proceed in forma pauperis and affidavit in support.

IT IS FURTHER ORDERED that, if either plaintiff Darnel Meriwether or Michael Thomas fails to pay the full \$400 filing fee or return a completed CJA-Form 23 financial affidavit within twenty (20) days, the Court will dismiss the complaint as to the plaintiff who fails to comply. If none of the plaintiffs comply with this Order, the Court will dismiss this action pursuant to Rule 41(b) of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that if plaintiff Michael Thomas fails to pay the filing fee or submit a motion for leave to proceed in forma pauperis and affidavit in support, the Court will dismiss plaintiff Michael Thomas' claims, without prejudice.

Dated this 3rd day of December, 2013.

A handwritten signature in cursive script, reading "John A. Ross", is written over a horizontal line.

JOHN A. ROSS
UNITED STATES DISTRICT JUDGE